

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated April 7, 2006 (hereinafter Office Action) have been considered. Claims 1-32 remain pending in the application.

Reconsideration of the pending claims and allowance of the application in view of the
5 present response is respectfully requested.

Claims 1, 2, 4, 7, 9, 12, 13, 15, 16, 22, 23, 26, 27, and 29-31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2003/0236912 by Klemets et al. (hereinafter "*Klemets*"), in view of U.S. Publication No. 2003/0088421 by Maes et al. (hereinafter "*Maes*"). Claims 17-21 stand rejected under 35 U.S.C. §103(a) as being
10 unpatentable over *Klemets*, in view of U.S. Publication No. 2004/0009761 to Money et al. (hereinafter "*Money*").

The Applicants respectfully submit that the claims as originally filed are not rendered obvious by the combination of *Klemets* and *Maes* or the combination of *Klemets* and *Money*. However, in order to facilitate prosecution of the application, the Applicants
15 present this response with amendment to clarify particular aspects of the claimed invention. These amendments make more clear what is believed to have been originally set forth in these claims, but now states so more specifically.

The independent claims have been amended to at least set forth that communications between a session description module and an application of the computing arrangement
20 occur via an interprocess communications facility of the computing arrangement. For example, in Claim 1 the application forms a session descriptor request in response to a multimedia session request. The session descriptor request is communicated to the session descriptor module via the interprocess communications facility. The application receives the session description data from the session description module via the interprocess
25 communications facility, and the application uses this session description data to establish a session.

The Applicants respectfully submit that the independent claims, as previously presented and particularly as amended, are not rendered obvious by the combination of

Klemets in view of *Maes*, or the combination of *Klemets* in view of *Money*. According to MPEP §2142, to establish a *prima facie* case of obviousness under 35 U.S.C. §103:

- 1) there must be some suggestion or motivation either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings;
- 2) there must be a reasonable expectation of success; and
- 3) the prior art reference (or references when combined) must teach or suggest all the claim limitations.

All three criteria must be met to establish *prima facie* obviousness of a claim. The Applicant respectfully submits that the combinations of *Klemets* in view of *Maes* and of *Klemets* in view of *Money* do not teach or suggest all of the limitations of independent Claims 1, 12, 17, 22, 26, and 30, as previously presented and particularly as amended.

In the rejection of Claims 1 and 30, the Examiner relies on paragraphs 0032, 0041, and 0097-0139 of *Klemets* to show communicating a request to a session descriptor module of a computing arrangement for a session descriptor usable by an application of the computing arrangement for initiating a multimedia session via a network. The Applicants respectfully disagree, noting that all communications of SDP data described in *Klemets* occurs between network hosts, and none of these communications occur between applications and modules running on the same computing arrangement. Further, it is neither taught nor suggested in *Klemets* that these communications utilize interprocess communications as set forth in the amended claims. For example, *Klemets* states “the client computer renders streaming data as it is received from a network server,” (*Klemets*, para. 0003) and “session description message are encoded within a data signal ... for delivery over a communications channel. The communications channel may be any data communication network.” (*Klemets*, para. 0028). Thus the portions of *Klemets* relied upon in the rejection describe a **host-to-host** exchange of SDP data between a client and a server via a network in order to establish sessions between the same hosts via the network, and is silent on any interprocess communication of this data. The Examiner did not rely on *Maes* to remedy these deficiencies of *Klemets* in the rejections of Claims 1, 12, 22, 26, and 30,

nor does *Maes* provide such a remedy. Nor did the Examiner rely on *Money* to remedy these deficiencies of *Klemets* in the rejection of Claim 17, nor does *Money* provide such a remedy.

On paragraph 5 of the Office Action, the Examiner states that *Klemets* teaches a session descriptor module that operates independently of an application as set forth Claims 1 and 30. The Examiner relies on FIG. 4 of *Klemets* to show a session descriptor module and FIG. 6 of *Klemets* to show an application. Similar portions of *Klemets* have been cited as allegedly teaching a session description module in rejections of Claim 12 (paragraph 9 of the Office Action) and Claim 22 (paragraph 12 of the Office Action). Applicants respectfully disagree with this characterization of both *Klemets* and these portions of the Applicants' claims. Figure 4 of *Klemets* (and associated description in paragraphs 0047-0049) merely describes a session descriptor data structure. In contrast, a "session description module" as used in the context of the Applicants claims is not a mere data structure. For example, Claim 1 sets forth "communicating the request to a session descriptor module...via an interprocess communications facility." The data structures taught in *Klemets* are insufficient to either teach or suggest a session descriptor module performing the functions as set forth in the claims.

Further, *Klemets* does not describe an application that communicates with a session description module for purposes of obtaining session description data for use by the application. *Klemets* shows application programs 172 on a computer 130 in FIG. 6, but *Klemets* is silent on whether or not these applications can even engage in multimedia sessions, much less describing how this application can determine multimedia session parameters of the computer 130. Therefore, *Klemets* is silent on details of how an application that can internally discover multimedia session parameters associated with the respective computer on which it runs, thus Applicants submit that Claims 1, 12, 22, 26, and 30 are allowable over *Klemets* and *Maes*, and Claim 17 is allowable over *Klemets* and *Money*.

The Applicants further note that the Examiner has not shown the references teach or suggest a computing arrangement having independent application and session descriptor

modules establishing a multimedia session with a network entity, as set forth in the independent claims. “Not only must the claimed invention as a whole be evaluated, but so also must the references as a whole, so that their teachings are applied in the context of their significance to a technician at the time--a technician without our knowledge of the solution.” *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1143 (Fed. Cir. 1985). For example, in the rejection of Claim 1, the Examiner relies on paragraph 0032 of *Klemets* to show communication of a session description request from an application to a session description module. As described above, this paragraph describes exchanges between a network coupled client and server. Thus, the Examiner has characterized the client and server as being either an application and session descriptor module, or vice versa. However, the Examiner has also relied on paragraph 0032 to show establishing a session between the computing arrangement and a network entity, and thus has characterized the client and server as also being either a computing arrangement and network entity, or vice versa.

The Applicants respectfully submit that the reliance on the client and server of *Klemets* to show all elements of the independent claims is evidence that the claims are not being evaluated as a whole. In particular, *Klemets* does not teach or suggest all of the application, session description module, computing arrangement, and network entities of Applicants’ independent claims, therefore *Klemets* does not teach or suggest the interaction between these individual elements as described in the claims, particularly when the claims are viewed as a whole by one of ordinary skill in the art. Allowance of Claims 1, 12, 17, 22, 26, and 30 is therefore respectfully requested.

Regarding dependent Claims 4, 15, 16, 29, and 31, Applicants submit that *Klemets* fails to disclose, either expressly or inherently, an authentication module as set forth in Claims 4, 15, 16, 29, and 31. The Examiner relies on paragraph 0032 of *Klemets* to show these features. However, in this paragraph *Klemets* merely describes the authentication between a client and a server on the network. *Klemets* does not show communicating authentication information from an authentication module to a session description module. On the contrary, *Klemets* is entirely silent as to the operations of any functional modules of

the client or server, or the internal workings of any other data processing arrangement. As to Claim 15, *Klemets* fails to even describe encryption at all. For these reasons, Claims 4, 15, 16, 29, and 31 are also allowable over *Klemets*.

Claims 2, 4, 7, and 9 depend from independent Claim 1; Claims 13, 15, and 16 depend from independent Claim 12; Claim 23 depends from independent Claim 22; Claim 27 and 29 depend from independent Claim 26; and dependent Claim 31 depends from independent Claim 30. These dependent claims also stand rejected under 35 U.S.C. §103(a) as being rendered obvious by *Klemets* in view of *Maes*. Claims 18-21 depend from independent Claim 17, and stand rejected as being rendered obvious by the combination of *Klemets* in view of *Money*. While Applicant does not acquiesce with the particular rejections to these dependent claims, including any assertions concerning inherency or the taking of Official Notice, these rejections are now moot in view of the remarks made in connection with independent Claims 1, 12, 17, 22, 26, and 30. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features which further distinguish these claims from the respective references. Therefore, dependent Claims 2, 4, 7, 9, 13, 15, 16, 18-21, 23, 27, 29, and 31 are also in condition for allowance.

Claims 3, 5, 6, 14, 24, 28 and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Klemets*, *Maes*, further in view of U.S. Patent No. 6,845,389 to Sen et al. (hereinafter "*Sen*"). Claims 8, 10, 11 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Klemets*, *Maes*, further in view of U.S. Publication No. 2002/0129236 by Nuutinen (hereinafter "*Nuutinen*"). The Applicants respectfully traverse the rejections.

In light of the amendment and arguments presented hereinabove relative to rejections of Applicants' independent Claims 1, 12, 22, 26, and 30 based on *Klemets* and *Maes*, the Applicants respectfully submit that Claims 3, 5, 6, 8, 10, 11, 14, 24, 25, 28 and 32 are also allowable over the respective references. The Examiner relies on the combination of *Klemets* and *Maes* as teaching the substance of the claims from which these claims are ultimately dependent, namely, independent Claims 1, 12, 22, 26, and 30. The

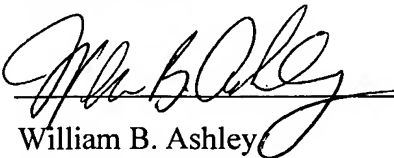
Examiner does not rely on *Sen*, or *Nuutinen* to remedy to the deficiencies of *Klemets* and *Maes* as it pertains to the independent claims, nor do *Sen* or *Nuutinen* provide such a remedy. Thus, because none of the references teach at least the recitations of the independent claims, combinations of *Klemets* and *Maes* with *Sen* or *Nuutinen* fails to teach these recitations. Further, these combinations fail to suggest the invention set forth in the independent claims, as there is no reference to at least interprocess communications between a session description module and an application that are independently running on a computing arrangement. While other requisites of establishing *prima facie* obviousness may also be absent, the Applicants respectfully submit that the cited combination of references at least fails to teach or suggest all of the claim limitations, and respectfully submit that Claims 3, 5, 6, 8, 10, 11, 14, 24, 25, 28 and 32 are allowable.

Authorization is given to charge Deposit Account No. 50-3581 (NOKM.070PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact him at to discuss any issues related to this case.

Respectfully submitted,

HOLLINGSWORTH & FUNK, LLC
8009 34th Avenue South, Suite 125
Minneapolis, MN 55425
952.854.2700

Date: 7 Sep 2006

By: 
William B. Ashley
Reg. No. 51,419